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East Bay Energy Consortium Meeting Minutes, July 12, 2010

East Bay Energy Consortium

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East Bay Energy Consortium (EBEC)
Regular Meeting
July 12, 2010
8:30 am
Roger Williams University Library Conference Room

Present: Jeanne Napolitano, A B Shapiro, Chris Kearns, Peter Moniz, Bob Palumbo, Dennis Culberson, Garry Plunkett, Merritt Meyer, Deborah Crowley, Daniel Mendelsohn, Diane Williamson, Christine Weglowski Forster, Julian Dash, Joseph Fraioli, Alan Klepper, June Speakman, Jeanne Boyle, Walter Burke, Don Wineberg, Beth Milham, Joseph DePasquale, Caroline Wells, Philip Hervey

Meeting called to order by Napolitano at 8:45 a.m.

Introductions.

1. Napolitano asked to change agenda order to accommodate Attorney Wineberg, who presented the legal opinion he had prepared after the Joint committee met. The legal opinion concerned whether it was an ethics violation for an EBEC representative to resign from EBEC and work for a contractor. The EBEC member is Andrew Shapiro and the contractor is The Arnold Group ("TAG"). Wineberg stated that in his opinion, he was 100% sure there was no violation because EBEC was advisory in nature, is not a municipal agency and its representatives are not municipal appointed officials and therefore are not subject to the code of ethics. Hervey questioned that opinion and questioned why Shapiro or TAG or EBEC or Wineberg as EBEC's counsel did not ask the Ethics Commission (the "EC") for an opinion. Boyle agreed, as did Forster. Palumbo said the delay could jeopardize funding. Wineberg answered that he had called the EC and his call had not been returned. After some discussion, Hervey moved that Shapiro submit a request in writing to the EC and that simultaneously Wineberg do the same on EBEC's behalf. This request would be for an opinion on the matter. DePasquale seconded the motion. Motion carried 8-0 on a voice vote.
2. Agenda Item 7: ASA, the Phase 2 contractor, presented a draft of the results of its study. An electronic copy of the Draft results will be distributed this week. There was some discussion on how to announce the results to the nine municipalities. Boyle, Speakman, DePasquale and Burke suggested meetings with finance directors and Town councils when a final report is published.
3. It was agreed to continue Agenda Item 5 (Approval of previous meeting minutes) to the August meeting.
4. Agenda Item 6 Treasurer's report. Williamson reported that ASA has sent an invoice for \$30,932.65 for Feasibility-Additional Scope. Copies of the invoice were distributed to the group. Motion for approval Williamson, Seconded Boyle. Motion carried. Copies of the July 1, 2010 Treasurer's Report distributed. Invoice

- for Arnold Group for \$3,760. Motion for payment by Williamson, seconded by Burke. Motion carried. Shapiro asked about payment for an invoice he received from Chase Ruttenberg, attorneys, for \$3,940, the balance under the \$10,000 contract. Motion for payment Williamson, seconded by Burke, Motion carried. Motion to accept Treasurer's report by Williamson, seconded by Boyle. Motion carried.
5. Agenda item 8 Communications committee. Forster reported that the domain name eastbayenergy.org was available for 14.99 per year, and web hosting was available at 6.99 per year. Motion to purchase Forster, seconded by Klepper. Motion carried. Milham reported on Energy Independence Day, held June 11 in Middletown, that the event was very well received. The entire group thanked Milham for her hard work. Plunkett distributed an email list, reporting that it was up to representatives to send electronic documents to their respective town officials.
 6. Agenda item #9 Meteorological (met) tower and EDC funding. Palumbo reported for Arnold Group that the EDC Board meets on July 26, 2010 and will vote on \$15,000 in funding for the tower. Julian Dash of EDC stated that he supports and has made recommendations to the Board for the money for the met tower. Palumbo stated that Roger Williams has a met tower for EBEC and when EBEC gets money from EDC it will be available. Mendelsohn stated that he had no news yet about contractors to erect the met tower. Plunkett reported that Tiverton officials had given permission for removal of trees and erection of the tower. Culberson stated that the Sandywood Farms development had erected a met tower and would have wind data. The technical committee will explore getting this wind data from Sandywood Farms.
 7. Agenda item #10 Tiverton industrial park master plan RFP draft. Plunkett reported that the RFP was still in the works, that it was currently unclear how a wind generating facility and industrial park would be conceptualized but that he thought a wind energy/light industrial zone would be one result. The Newport County Chamber of Commerce has received a Small Business Administration administered grant for \$80,000 to pay for a master plan for the industrial park in Tiverton, approximately 494 acres. Williamson, Hervey, Shapiro, Plunkett, Dash and DePasquale all commented that they would be in favor of an integration of the wind facility and light industrial use.
 8. Agenda item 12 Bridge funding request to Rhode Island Foundation. (RIF) Palumbo, reporting for the Arnold Group, stated that TAG had contacted the RIF to seek advice on preparing a bridge funding proposal for EBEC activities. They developed a proposal for EBEC to retain their services for the next 6 months at a cost of \$ 45-50,000 to accomplish 6 tasks which would prepare EBEC for Phase III funding. Palumbo stated that TAG had an established relationship with RIF. Six tasks were enumerated in the request, including overseeing, monitoring and analyzing the met tower data. Mendelsohn stated that it would require ASA a half

day per month for this. There was some discussion about why ASA would not do that. Motion to have TAG submit the request for funding without the met tower oversight, Plunkett, seconded by Klepper. Discussion: Hervey said it overlaps ASA's field of expertise, and currently TAG has a six month contract with EBEC for \$11,000 and Hervey questioned the new figure. Hervey and Boyle commented that a technical task would be appropriate for a technical firm. Williamson said she found TAG an asset, they were on time with monthly reports. Napolitano reported that she had attended a Sen. Whitehouse-sponsored energy day in Washington DC and that Sen Whitehouse mentioned federal funding for energy projects. Dash stated that EDC would take care of all the met tower costs, but he would like the cost estimate to be accurate so EBEC would not be in the position of asking repeatedly for more money because their estimate was incorrect. Hervey asked about civil engineering /site planning funding. Mendelsohn stated that that is for pre-construction or phase 3. Motion by Fraioli to amend the RIF request to reflect the true cost of TAG six-month commitment, and to transfer the request for met tower financing to EDC, seconded by DePasquale. The funding request is to reflect the ASA earlier proposal of \$27,000 for met tower expenses (Mendelsohn will check the estimate) and \$15,000 for the remainder of ASA's Phase 2 study. Motion carried, Hervey opposed.

9. Napolitano moved to adjourn, Seconded by Boyle. Motion carried.

Next meeting on August 2, 2010

Joint committees meet on July 26, 2010